

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr216

UNITED STATES OF AMERICA

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vs.

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QUALO MARTEZ LOWERY

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ORDER

THIS MATTER is before the Court upon letters of the defendant pro se (Doc. No. 159, 169) asking that his counsel be replaced.

The Court finds that the defendant's allegations about his counsel's performance fail to establish grounds to appoint substitute counsel. United States v. Mullen, 32 F.3d 891 (4th Cir. 1994).

IT IS, THEREFORE, ORDERED that the defendant's motions are DENIED.

The sentencing hearing in this matter has been previously continued, in part, to secure the appearance of witnesses for the defendant. (See e.g., Doc. No. 157). The Court has been informed that incarcerated witnesses have not been transported to this district for the sentencing hearing scheduled for March 29, 2007.

IT IS, THEREFORE, FURTHER ORDERED that the sentencing hearing is continued until May 21, 2007, at 2 p.m. Counsel is directed to file the appropriate pleadings promptly to request the transportation of any necessary witnesses.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, the United States Attorney, the United States Probation Office, and the United States Marshals Service.

Signed: March 28, 2007



Robert J. Conrad, Jr.
Chief United States District Judge

